IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION

WRIT PETITION NO.5625 OF 2004

Nitin Bhaguram Tambe ..Petitioner
Vs.
Maharashtra State Electricity
Board and Others ..Respondents

Mr.G.A.Tambe for Petitioner
Mrs.S.S.Bhende A.G.P. for Respondent no.2.

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 28TH FEBRUARY, 2005.

P.C.

. Petitioner along with another was Petitioner in another writ petition bearing No.7792 of 2003 which was dismissed on 13th April, 2004. The application for restoration has not been registered, on objections raised by the Registry. That is no ground for filing a second petition on the same cause of action. The same would not be maintainable. At the highest it is open to the Petitioner to move for hearing of his civil application for setting aside the order dated 13th April, 2004, dismissing the earlier petition for non prosecution.

. With the bove observations petition stands disposed of.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)